



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Surolia, N.

Examiner: Weddington, K.

Serial Number: 09/763,499

Art Unit: 1614

Filing Date: February 23, 2001

Attorney Docket: 2003710-0001
(IN99/00026)

Title: USE OF HYDROXYDIPHENYL ETHER CLASS OF CHEMICALS,
AS EXEMPLIFIED BY TRICLOSAN, AS AN ANTIMALARIAL
AND IDENTIFICATION OF FATTY ACID SYNTHESIS AS ITS
TARGET

Commissioner for Patents
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on 8-16-04
Sandra Saccoccia

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

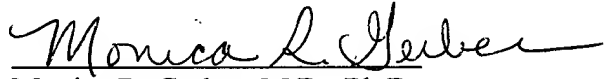
In response to the Restriction Requirement mailed July 16, 2004, Applicant elects
Group I, claims 7, 9-16 and 43.

Applicant respectfully requests reconsideration of the Examiner's assignment of
claims 8 and 44-49 to a separate group (Group II) rather than including them in Group I. The
Examiner has stated that the inventions are independent and distinct as they have acquired a
separate status in the art as shown by their different classification. However, as noted in the
Restriction Requirement, claims in both Group I and Group II are classified in class 514,
subclasses 721 and 895. Applicant submits that it would not place an undue burden on the
Examiner to search the claims currently in Group II together with those in Group I. A search
for art related to antimalarial compositions to identify art relevant to claims in Group I should
also identify art that is relevant to claims in Group II. In particular, a search on claim 1 in
Group I should identify any art that is relevant to the claims in Group II, since the
antimalarial composition of claim 1 comprises an inhibitor of fatty acid synthesis while each
of the claims in Group II is also directed to an antimalarial composition that comprises an
inhibitor of fatty acid synthesis (in addition to a second anti-malarial agent).

As indicated in the Amendment enclosed herewith, Applicant has amended claims 36-42, currently assigned to Group IV, and claim 50, currently assigned to Group V, so that they are now drawn to antimalarial compositions, as are the claims in Group I. Applicant submits that searching the claims of Groups IV and V together with those of Group I would not constitute an undue burden since the claims in these groups are all drawn to antimalarial compositions. Applicant therefore respectfully requests examination of the claims currently assigned to Group IV (claims 36-42) and Group V (claim 50) together with those of Group I. With respect to claim 50, Applicant notes that the claim is assigned to class 514, subclass 521, which is the same classification as claims in Group I.

Please charge any fees that may be associated with this matter to our Deposit Account No. 03-1721.

Respectfully submitted,


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Dated: August 16, 2004
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